

Message Text

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ORIGIN NEA-10

INFO OCT-01 ISO-00 AID-05 PA-02 PRS-01 INR-07 H-02 EB-07

DHA-02 ORM-01 IO-10 SS-15 NSC-05 SP-02 /070 R

DRAFTED BY NEA/INS:JNACH:JES

APPROVED BY NEA/INS:DKUX

NESA/SA:JECOLAS

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R 122354Z SEP 75

FM SECSTATE WASHDC

TO AMEMBASSY NEW DELHI

UNCLAS STATE 218076

E.O. 11652:N/A

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TAGS: EAID, IN

SUBJECT: TEXT OF HARKIN AMENDMENT TO FOREIGN ASSISTANCE ACT

FOLLOWING IS TEXT OF HARKIN AMENDMENT TO THE FOREIGN ASSIST-
ANCE ACT ADOPTED BY THE HOUSE ON SEPTEMBER 10 BY A VOTE OF
238 TO 164:

BEGIN TEXT:

HUMAN RIGHTS

1. SEC. 310 PART 1 OF THE FOREIGN ASSISTANCE ACT OF 1961
IS AMENDED BY INSERTING IMMEDIATELY AFTER SECTION 115 THE
FOLLOWING NEW SECTION:

2. "SEC 116. HUMAN RIGHTS - (A) NO ASSISTANCE MAY BE PRO-
VIDED UNDER THIS PART TO THE GOVERNMENT OF ANY COUNTRY WHICH
ENGAGES IN A CONSISTENT PATTERN OF GROSS VIOLATIONS OF INTER-
NATIONALLY RECOGNIZED HUMAN RIGHTS (INCLUDING TORTURE OR
CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT), PRO-
LONGED DETENTION WITHOUT CHARGES, OR OTHER FLAGRANT DENIALS
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OF THE RIGHT TO LIFE, LIBERTY, AND THE SECURITY OF A PERSON,

UNLESS --

"1) THE PRESIDENT DETERMINES THAT SUCH ASSISTANCE WILL DIRECTLY BENEFIT THE NEEDY PEOPLE IN SUCH COUNTRY AND REPORTS SUCH DETERMINATION TO THE CONGRESS TOGETHER WITH A DETAILED EXPLANATION OF THE ASSISTANCE TO BE PROVIDED (INCLUDING THE DOLLAR AMOUNTS OF SUCH ASSISTANCE) AND AN EXPLANATION OF HOW SUCH ASSISTANCE WILL DIRECTLY BENEFIT THE NEEDY PEOPLE IN SUCH COUNTRY; AND

"2) NEITHER HOUSE OF CONGRESS ADOPTS, WITHIN 30 DAYS (EXCLUDING DAYS WHEN BOTH HOUSES ARE NOT IN SESSION) AFTER RECEIVING SUCH REPORT, A RESOLUTION STATING IN EFFECT THAT SUCH HOUSE OBJECTS TO FURNISHING SUCH ASSISTANCE TO SUCH COUNTRY.

'(B) IN DETERMINING WHETHER OR NOT A GOVERNMENT FALLS WITHIN THE PROVISIONS OF SUBSECTION (A), CONSIDERATION SHALL BE GIVEN TO THE EXTENT OF COOPERATION OF SUCH GOVERNMENT IN PERMITTING AN UNIMPEDED INVESTIGATION OF ALLEGED VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS BY APPROPRIATE INTERNATIONAL ORGANIZATIONS, INCLUDING THE INTERNATIONAL COMMITTEE OF THE RED CROSS OR GROUPS OR PERSONS ACTING UNDER THE AUTHORITY OF THE UNITED NATIONS OR OF THE ORGANIZATION OF AMERICAN STATES." KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, TEXT, LEGISLATIVE BILLS, FOREIGN ASSISTANCE LAW
Control Number: n/a
Copy: SINGLE
Draft Date: 12 SEP 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE218076
Document Source: CORE
Document Unique ID: 00
Drafter: JNACH:JES
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750318-0658
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750956/aaaabxkq.tel
Line Count: 86
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN NEA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: RowellE0
Review Comment: n/a
Review Content Flags:
Review Date: 31 MAR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31 MAR 2003 by MaustMC>; APPROVED <30 JAN 2004 by RowellE0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: TEXT OF HARKIN AMENDMENT TO FOREIGN ASSISTANCE ACT FOLLOWING IS TEXT OF HARKIN AMENDMENT TO THE FOREIGN ASSIST-
TAGS: EAID, IN
To: NEW DELHI
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006